

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

Civil Action No. 05-40071-FDS

CHRISTIAN SCHWENK
Plaintiff,

v.

AUBURN SPORTSPLEX, LLC,
DENNIS NATOLI, JOHN NATOLI,
AND PETER NATOLI,
Defendants

ASSENTED TO MOTION TO WITHDRAW
DEFENDANTS' AUBURN SPORTSPLEX, LLC, DENNIS NATOLI,
JOHN NATOLI AND PETER NATOLI MOTION TO DISMISS
PLAINTIFF'S COMPLAINT FOR LACK OF JURISDICTION

The Defendants Auburn Sportsplex, LLC, Dennis Natoli, John Natoli, and Peter Natoli (collectively "Defendants") hereby move to withdraw its previously filed Motion to Dismiss.

This motion is assented to by the Plaintiff.

Auburn Sportsplex, LLC
Dennis Natoli, John Natoli,
and Peter Natoli
by their attorneys,

s/ William J. Ritter
William J. Ritter, Esquire
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Certification of Local R. 7.1(A)(2)

I hereby certify that pursuant to Local R. § 7.1(A)(2), I have conferred with opposing counsel, Paul E. Linet, Esquire and Douglas L. Fox, Esq. in good faith to resolve and/or narrow the issues and counsel has assented to this motion.

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2006, I served a copy of the within Defendants' Auburn Sportsplex, LLC, Dennis Natoli, John Natoli and Peter Natoli Motion to Dismiss Plaintiff's Complaint for Lack of Jurisdiction by mailing same postage prepaid upon:

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Douglas L. Fox, Esquire
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s/ William J. Ritter
William J. Ritter, Esquire